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MANUAL

ESTABLISHMENT OF HISTORIC DISTRICTS
IN PENNSYLVANIA

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MANUAL

ESTABLISHMENT OF HISTORIC DISTRICTS
IN PENNSYLVANIA

JUNE, 1967

By Act of the General Assembly No. 167,
dated June 13, 1961, as amended by Act of the General
Assembly No. 24, dated April 23, 1963, the political
subdivisions of the Commonwealth were given authority
to set up historic districts within their limits and
to regulate all buildings activities within those
districts. As one of the original promoters of this
law and as an interested party under its terms, the
Pennsylvania Historical and Museum Commission is most
interested in seeing to it that information concerning
the exact provisions of the act and the procedures to
be followed in order to implement it should be made
available to all interested citizens. This manual
has been prepared with that purpose in mind.

Act of the General Assembly No. 167 dated June 13, 1961, as amended by Act of the General Assembly No. 24, dated April 23, 1963

AN ACT

Authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Historical Architectural Review; empowering governing bodies of political subdivisions to protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition of razing of buildings within the historic districts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The term "governing body," as used in this act, shall mean the board of commissioners of any county, the council of any city, except cities of the first class, the council of any borough or incorporated town, the board of commissioners of any township of the first class and the board of supervisors of any township of the second class.

The term "executive authority," as used in this act, shall mean the chairman of the board of commissioners of any county, the mayor of any city, except cities of the first class, the president of council of any borough or incorporated town, the president of the board of commissioners of any township of the first class and the chairman of the board of supervisors of any township of the second class.

Section 2. For the purpose of protecting those historical areas within our great Commonwealth, which have a distinctive character recalling the rich architectural and historical heritage of Pennsylvania, and of making them a source of inspiration to our people

by awakening interest in our historic past, and to promote the general welfare, education and culture of the communities in which these distinctive historical areas are located, all counties, cities of the first class, boroughs, incorporated towns and townships, are hereby authorized to create and define, by ordinance, a historic district or districts within the geographic limits of such political subdivisions. No such ordinance shall take effect until the Pennsylvania Historical and Museum Commission has been notified, in writing, of the ordinance and has certified, by resolution, to the historical significance of the district or districts within the limits defined in the ordinance, which resolution shall be transmitted to the executive authority of the political subdivision.

Section 3. The governing body of the political subdivision is authorized to appoint a Board of Historical Architectural Review upon receipt of the certifying resolution of the Pennsylvania Historical and Museum Commission. The board shall be composed of not less than five members. One member of the board shall be a registered architect, one member shall be a licensed real estate broker, one member shall be a building inspector, and the remaining members shall be persons with knowledge of and interest in the preservation of historic districts. A majority of the board shall constitute a quorum and action taken at any meeting shall require the affirmation vote of a majority of the board. The board shall give counsel to the governing body of the county, city, borough, town or township, regarding the advisability of issuing any certificate which the governing body may issue pursuant to this act.

Section 4. (a) Any governing body shall have the power and duty to certify to the appropriateness of the erection, reconstruction, alteration, restoration, demolition or razing of any building, in whole or in part, within the historic district or districts within the political subdivision. Any agency charged by law or by local ordinance with the issuance of permits for the erection demolition or alteration of buildings within the historic district shall issue no permit for any such building changes until a certificate of appropriateness has been received from the governing body.

(b) Any governing body in determining whether or not to certify to the appropriateness of the erection reconstruction, alteration, restoration, demolition or razing of a building, in whole or in part, shall consider the effect which the proposed change will have upon the general historic and architectural nature of the district. The governing body shall pass upon the appropriateness of exterior architectural features which can be seen from a public street or way, only, and shall consider the general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings and structures in the district. The governing body shall not consider any matters not pertinent to the preservation of the historic aspect and nature of the district. Upon giving approval, the governing body shall issue a certificate of appropriateness authorizing a permit for the erection, reconstruction, alteration, restoration, demolition or razing of a building in whole or in part. Disapproval of the governing body shall be in writing, giving reasons therefor, and a copy thereof shall be given to the applicant, to the agency issuing permits and to the Pennsylvania Historical and Museum Commission.

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(c) Any person applying for a building permit within a historic district shall be given notice of the meeting of the Board of Historical Architectural Review which is to counsel the governing body, and of the meeting of the governing body which is to consider the granting of a certificate of appropriateness for the said permit, and may appear before the said meetings to explain his reasons therefor. In the event of a failure to recommend, the board, and, in the event of its disapproval, the governing body shall also indicate what changes in his plans and specifications would meet its conditions for protecting the distinctive historical character of the historic district.

(d) Any person aggrieved by failure of the agency charged by law or by local ordinance to issue a permit for such building changes by reason of the disapproval of the governing body may appeal therefrom in the same manner as appeals from decisions of the agency charged by law or by local ordinance with the issuance of permits for such building changes.

Section 5. The agency charged by law or by local ordinance with the issuance of permits for the erection, demolition or alteration of buildings within the historic district shall have power to institute any proceedings, at law or in equity, necessary for the enforcement of this act or of any ordinance adopted pursuant thereto, in the same manner as in its enforcement of other building, zoning or planning legislation or regulations.

Section 6. The provisions of this act are severable and, if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act.

It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein. The provisions of this act shall not be construed to limit the powers and duties assigned to the Pennsylvania Historical and Museum Commission.

Section 7. This act shall take effect immediately.

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The standard order of procedure for the setting up of historic zones and Boards of Historical Architectural Review as laid down by the Act is as follows:

1. Local agreement as to the importance and extent of the historic district to be created.

2. Passage of an ordinance by the local governing body specifically defining such an area and setting up the Board of Historic Architectural Review.

3. Request for certification by the Pennsylvania Historical and Museum Commission as to the historic significance of the districts involved. Such request shall be accompanied by a certified copy of the ordinance.

4. Notification of certification of historic significance by resolution of the Pennsylvania Historical and Museum Commission.

5. Appointment of Board.

The following ordinances adopted by Lower Merion Township, Montgomery County, Falls Township, Bucks County, and the City of Bethlehem, Lehigh County, are provided as models for local ordinances.

NO. 1373

AN ORDINANCE

Creating an Historic District to be known as "Harriton Historic District", defining its limits, providing for notification to the Pennsylvania Historical and Museum Commission of the adoption of this Ordinance and for obtaining from the Commission a certificate as to the historical significance of the District, providing for the appointment of a Board of Historical Architectural Review to give counsel to the Board of Commissioners of the Township regarding the issuance of Certificates of Appropriateness in connection with the granting or refusal of permits for the erection, demolition or alteration of buildings within the District, for appeals from such refusals, and for changes in procedures in the Office of the Department of Building Regulations necessary to carry out the provisions of this Ordinance.

The Board of Commissioners of Lower Merion Township DOES
ORDAIN:

Section 1. In accordance with the provisions of an Act
entitled:

"An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Historical Architectural Review; empowering governing bodies of political subdivisions to

protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts",

adopted by the General Assembly of the Commonwealth of Pennsylvania and approved by the Governor of the Commonwealth of Pennsylvania on the 13th day of June, 1961, and to protect a portion of the Township which recalls the rich architectural and cultural heritage of the Township and the State, to awaken in our people an interest in our historic past and to promote the general welfare, education and culture of the Township, there is hereby created in the Township an historic district to be known as "Harriton Historic District" located in the Rosemont District, Lower Merion Township, Montgomery County, Pennsylvania.

Section 2. The limits of Harriton Historic District are defined as follows:

BEGINNING at the point formed by the intersection of the title line of Harriton Road and the title line of Old Gulph Road (formerly known as Roberts Road), thence along the title line of Old Gulph Road S 78° 16' W 210 feet to a point in line of land of Arthur C. Benson and Grace R. Benson, thence by the same and land of Nancy Jane Shoemaker and William M. Shoemaker N 19° 20' W 539.66 feet to the point of termination of the public portion of Great Springs Road (formerly Airdale Road), thence on the same course continued along lands of Blanche C. Johnson and Alvinus P. Johnson and the School District of Lower Merion Township 595.34 feet to a corner of land of the said School District, thence by the same and land of the Girard Trust Company and Henry James Vaux, Trustees, N 70° 40' E 400 feet to a point, thence by said land of Girard Trust Company and Henry James Vaux, Trustees, N 57° 10' E 213.45 feet to a point a corner

of land of Graeme G. Colton and Sabin W. Colton 5th, thence by the same S 19° 20' W 508.14 feet to a point in the center line of Great Springs Road extension, as plotted by Lower Merion Township Ordinance No. 968, approved May 17, 1950, thence continuing along land of the said Coltons S 45° E 453.52 feet to a point in the title line of Harriton Road, and thence by the same S 44° 14' W 671.26 feet to the place of beginning. (containing 16 509/1000).

Section 3. Immediately upon the adoption of this Ordinance, the Township Secretary shall forward a copy thereof to the Pennsylvania Historical and Museum Commission. This Ordinance shall not take effect until (i) the said Commission has certified, by resolution, to the historical significance of Harriton Historic District, and (i) it has been duly advertised, as required by existing law.

Section 4. A Board of Historical Architectural Review is hereby established to be composed of five members appointed by the Board of Commissioners, one of whom shall be a registered architect, one a licensed real estate broker, one the Director of the Department of Building Regulations of the Township, and two additional persons with a knowledge of and interest in the preservation of the District. The initial terms of the first five members of the Board shall be as follows: one shall serve until the first Monday of January, 1963, two until the first Monday of January, 1964, and two until the first Monday of January, 1965. Their successors shall serve for a term of five years. The position of any member of the Board appointed in his capacity as a registered architect, a licensed real estate broker, or as the

Director of the Department of Building Regulations of the Township who ceases to be so engaged shall be automatically considered vacant. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

Section 5. The Board shall give counsel to the Board of Commissioners of the Township regarding the advisability of issuing any Certificates required to be issued pursuant to the said Act of June 13, 1961 and this Ordinance. For the purpose the Board may make and alter rules and regulations for its own organization and procedure, consistent with this Ordinance and the laws of the Commonwealth. A majority of the Board shall constitute a quorum and action taken at any meeting shall require the affirmative vote of a majority of the Board. The members of the Board shall serve without compensation, and shall make an annual report of their transactions to the Board of Commissioners. The Board may, pursuant to appropriations by the Board of Commissioners, employ secretarial assistants, pay their salaries and wages and incur other necessary expenses.

Section 6. The Director of the Department of Building Regulations shall not issue a permit for any erection, reconstruction, alteration, restoration, demolition or razing of a building in the District until the Board of Commissioners has issued a Certificate of Appropriateness.

Section 7. Upon receipt of an application for a building permit for work to be done in the District the Director of the Department of Building Regulations shall act in accordance

with the procedures presently being followed in that Office except as those procedures are necessarily modified by the following requirements:

1. He shall forward to the Office of the Board of Historical Architectural Review a copy of the application for a building permit, together with a copy of any plot plan and building plans and specifications filed by the applicant;

2. He shall maintain in his Office a record of all such applications and of his handling and final disposition of the same, which shall be in addition to and appropriately cross-referenced to his other records; and

3. He shall require applicants to submit a sufficient number of additional copies of material required to be attached to an application for a building permit to permit compliance with the foregoing.

Section 8. Upon receipt by the Board of a notice that an application for a building permit for the erection, reconstruction, alteration, restoration, demolition or razing of a building or buildings in the District has been filed in the Office of the Director of the Department of Building Regulations, the Board will give to the Board of Commissioners. The person applying for the permit shall be advised of the time and place of the said meeting and invited to appear to explain his reasons therefor. The Board may invite such other person or persons as it desires to attend the meeting.

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Section 9. In determining the counsel to be presented to the Board of Commissioners concerning the issuing of a Certificate of Appropriateness of authorizing a permit for the erection, reconstruction, alteration, restoration, demolition or razing of all or a part of any building within the District, the Board shall consider the following matters:

1. The effect of the proposed change upon the general historic and architectural nature of the District;

2. The appropriateness of exterior architectural features which can be seen from a public street or way only; and

3. The general design, arrangement, texture, material and color of the building or structure, and the relation of such factors to similar features of buildings or structures in the District.

Section 10. If the Board, on the basis of the information received at the meeting and from its general background and knowledge, decides to counsel against the granting of a Certificate of Appropriateness, it shall indicate to the applicant for a building permit the changes in plans and specifications, if any, which in the opinion of the Board, would protect the distinctive historical character of the District. The Board shall withhold its report to the Board of Commissioners for a period of five days following its decision to allow the applicant to decide whether or not to make the suggested changes in his plans and specifications. If the applicant determines that he will make the suggested changes, he shall so advise the Board which shall counsel the Board of Commissioners accordingly.

Section 11. The Board, after the hearing provided for in Section 8 of this Ordinance and after the making of any changes in the plans and specifications as provided in Section 10 of this Ordinance, shall submit to the Board of Commissioners in writing its counsel concerning the issuance of a Certificate of Appropriateness of authorizing a permit for the erection, reconstruction, alteration, restoration, demolition or razing of all or a part of any building within the District. The written report shall set out the following matters:

1. The exact location of the area in which the work is to be done;
2. The exterior changes to be made or the exterior characters of the structure to be erected;
3. A list of the surrounding structures with their general exterior characteristics;
4. The effect of the proposed change upon the general historic and architectural nature of the District;
5. The appropriateness of exterior architectural features which can be seen from a public street or way only;
6. The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in the District;
7. The opinion of the Board (including any dissent) as to the Appropriateness of the work proposed as it will preserve or destroy the historic aspect and nature of the District; and
8. The specific counsel of the Board as to the issuance

by the Board of Commissioners or its refusal to issue a Certificate of Appropriateness.

Section 12. Upon receipt of the written counsel of the Board as provided in Section 11 of this Ordinance, the Board of Commissioners shall consider at a regular or special meeting the question of issuing to the Director of the Department of Building Regulations a Certificate of Appropriateness authorizing a permit for the work covered by the application. The applicant shall be advised by the Township Secretary of the time and place of the meeting at which his application will be considered and shall have the right to attend and be heard as to his reasons for filling the same. In determining whether or not to certify to the appropriateness of the proposed erection, reconstruction, alteration, restoration, demolition or razing of all or a part of any building within the District, the Board of Commissioners shall consider the same factors as the Board of Historical Architectural Review set forth in Section 9 of this Ordinance and the report of the Board. If the Board of Commissioners approves the application, it shall issue a Certificate of Appropriateness authorizing the Director of the Department of Building Regulations to issue a permit for the work covered. If the Board of Commissioners disapproves, it shall do so in writing and copies shall be given to the applicant and to the Pennsylvania Historical and Museum Commission. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive historical character of the District.

Section 13. Upon receipt of the written disapproval of the Board of Commissioners, the Director of Building Regulations shall disapprove the application for a building permit and so advise the applicant. The applicant may appeal from the disapproval as provided by law and the Building Code of the Township.

Section 14. The Director of the Department of Building Regulations shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this Ordinance in the same manner as in his enforcement of the Building Code of the Township as presently enacted or as the same may from time to time be amended.

Section 15. All ordinances or parts of ordinance inconsistent herewith are hereby repealed.

Section 16. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof.

Approved by the Board this 17th day of January, 1962.

ORDINANCE

AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE TOWNSHIP OF FALLS
OF FEBRUARY 18, 1955, AS AMENDED

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Falls Township and it is hereby enacted and ordained by the authority of the same

THAT the Zoning Ordinance of February 18, 1955 as amended, be further amended as follow:

ARTICLE II, Section 200. Classes of Districts be amended to include the following new district, viz: H-D - Historical District.

ARTICLE II, Section 201. Zoning Map, remains unchanged as written in the Ordinance, but that the Zoning Map be changed to indicate the below described area as the Historical District - H-D, viz:

ALL THAT CERTAIN area of land situate in the Village of Fallsington, Falls Township, Bucks County, Pennsylvania,

BEGINNING at the intersection of the southerly side of Old Tyburn Road (Twp. Road 337) and the northerly and easterly side of New Tyburn Road (State Legislative Route 09136); thence along the northerly and easterly side of New Tyburn Road in a northerly direction, 2592.0 feet more or less to the southerly side of Hillside Lane; thence along same in an easterly direction to the property line between Newton Sterling and Orville Yaeger if produced to the said southerly side of Hillside Lane; thence crossing Hillside Lane and along said property line to a corner of lands of Walter Peters; thence along same and crossing Main Street, 320.0 feet more or less to the easterly side of Main Street; thence along same in a northerly direction to the southerly side of Lacross Street; thence along same in an easterly direction to the westerly side of Yardley Road (State Legislative Route 09157); thence along same in a southerly direction to the property line of the School District of Falls Township if produced to the said westerly side of Yardley Road; thence crossing Yardley Avenue and along said property line 540.0 feet more or less to a corner of lands of Alice Woodruff and Eleanor Wright; thence along same and lands of Irvin Wright and crossing Locust Street in a southerly direction 355.0 feet more or less the southerly side of Locust Street, thence along same in an easterly direction to the northerly side of Lower Morrisville

Road (State Legislative Route 09136); thence along same in a westerly direction to the property line between the Philadelphia Electric Company and Elizabeth Dunbracco if produced to the said northerly side of Lower Morrisville Road; thence crossing Lower Morrisville Road and along said property line to a corner in line of lands of David Satterthwaite; thence along same and crossing Old Tyburn Road 195.0 feet more or less to the southerly side of Old Tyburn Road; thence along same in an easterly direction to the intersection with the northerly side of New Tyburn Road and place of BEGINNING.

A new Article be created, known as Article III A, H-D Historical District Section 310. In H-D Historical District the following regulations shall apply:

Use Regulations:

- Section 311. In order to promote the cultural, economic and general welfare through the preservation and protection of historic places and areas of unique and historic interest in the Township of Falls, no building or structure shall hereafter be erected, altered, or restored, razed or demolished within said Historical District, unless and until an application for a certificate of appropriateness shall have been approved by the Board of Historical Review hereinafter created, as to exterior architectural features including signs. Evidence of such required approval shall be a certificate of appropriateness issued by the Board of Historical Review.
- Section 312. **USES PERMITTED.** Property in the Historical District may be used for any use listed as a permissive use in the R-1 Residence Districts.
- Section 313. **BUILDING PERMITS.** Each applicant for a building permit which would authorize new construction, alterations, or modifications affecting the exterior appearance of existing or proposed structures, shall first obtain approval of the plans and specifications from the "Board of Historical Review." The applicant shall furnish complete elevation details and specifications, a plot plan, and such other information as the Board of Historical Review may require. So that the unique character and value of the Historical District as a place of special charm and interest shall not be impaired, the Board of Historical Review shall authorize the issuance of a building permit only if it finds that the architectural style, general design, arrangement, location and materials meet the

following standards.

- (a) They must be harmonious with the exterior architectural features of other structures in the immediate surroundings.
- (b) They must be complementary to the traditional architectural character of the Historical District.

Section 314. SIGNS. Applications for permits to erect, alter or modify signs shall be processed in the same manner as applications for permit to erect, alter or modify a building or structure.

Section 315. CREATION AND COMPOSITION OF THE BOARD OF HISTORICAL REVIEW. For the purpose of making effective the provisions of this article there is hereby created a board to be known as the "Board of Historical Review", to be composed of five (5) members who are residents of Falls Township. The Board of Supervisors shall appoint a Board of Historical Review consisting of five (5) members, one of whom shall be designated to serve until the first day of January following the adoption of this Ordinance, one until the first day of the second January thereafter, one until the first day of the third January thereafter, one until the first day of the fourth January thereafter, one until the first day of the fifth January thereafter. Their successors shall be appointed on the expiration of their respective terms to serve five (5) years. The members of the Board shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Section 316. The Board of Historical Review shall consist of:

- (a) One member of the Board of Supervisors.
- (b) One member of the Planning Commission.
- (c) One member of the Park Board.
- (d) Two members from the public.

The terms of the non-public members shall be concurrent with their respective terms as members of the represented governmental agencies.

Section 317. REVERTER. Should any decision by a court of compe-

tent jurisdiction under the provisions of this article as invalid or unconstitutional, the entire district, as shown on the Zoning Map of the Township of Falls, will, at the time of such Court Decision, become subject to the provisions of Article III, R-1 Districts.

ORDAINED AND ENACTED by the Board of Supervisors of Falls Township, Bucks County, Pennsylvania, this 19th day of November , 1962.

ORDINANCE NO. 1728

AN ORDINANCE OF THE CITY OF BETHLEHEM CREATING A HISTORIC DISTRICT DESIGNATED AS "HISTORIC BETHLEHEM: WITHIN THE GEOGRAPHICAL LIMITS OF THE CITY OF BETHLEHEM: DEFINING THE LIMITS THEREOF; PROVIDING FOR NOTIFICATION TO THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION OF THE PENDENCY OF THE ORDINANCE AND FOR OBTAINING FROM THE COMMISSION A CERTIFICATE AS TO THE HISTORICAL SIGNIFICANCE OF THE DISTRICT WITHIN THE LIMITS DEFINED IN THE ORDINANCE; PROVIDING FOR THE APPOINTMENT OF A BOARD OF HISTORICAL ARCHITECTURAL REVIEW TO GIVE COUNSEL TO THE COUNCIL OF THE CITY OF BETHLEHEM REGARDING THE ISSUANCE OF CERTIFICATES OF APPROPRIATENESS IN CONNECTION WITH THE GRANTING OR REFUSAL OF PERMITS FOR ERECTION, DEMOLITION OR ALTERATION OF BUILDINGS WITHIN THE HISTORIC DISTRICT, AND FOR APPEALS FROM SUCH REFUSALS AND FOR CHANGES IN PROCEDURES IN THE OFFICE OF THE BUILDING INSPECTOR NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ORDINANCE AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

Be It Ordained by the Council of the City of Bethlehem as follows:

SECTION 1. In accordance with the provisions of an act entitled

"An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Historical Architectural Review; empowering governing bodies of political subdivisions to protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts."

adopted by the General Assembly of the Commonwealth of Pennsylvania and approved by the Governor of the Commonwealth of Pennsylvania on the 13th day of June, A.D. 1961, and to protect the portions of the City of Bethlehem, which recall the rich architectural and cultural heritage of our city and state, to awaken in our people an interest in our historic past and to promote the general welfare, education and culture of our city, there is hereby created in the City of Bethlehem a historic district to be known as "Historic Bethlehem" located

in wards Six and Seven, in the County of Northampton, and wards Ten and Eleven, in the County of Lehigh, within the geographic limits of the City of Bethlehem.

SECTION 2. The limits of Historic Bethlehem are defined as follows:

BEGINNING at a point in the center line of the Lehigh River in the division line between the County of Lehigh and the County of Northampton at the intersection thereof and the westerly line of the Hill-to-Hill Bridge, to a point in the northerly street line of Spring Street, a street fifty (50) feet in width; thence westwardly, along said northerly street line of Spring Street, to a point in West Street at the intersection of said northerly street line of Spring Street and the extension southwardly of the easterly street line of Mitman Street, a street twenty (20) feet in width; thence northwardly in West Street, along said extension southwardly of said easterly street line of Mitman Street and along said easterly street line of Mitman Street and its extension northwardly to the southerly street line of West Broad Street; thence eastwardly, along said southerly street line of West Broad Street and along the southerly line of the Broad Street and again along the southerly line of West Broad Street, to the westerly street line of Guetter Street, a street twenty (20) feet in width; thence southwardly, along said westerly street line of Guetter Street, to the southerly street line of West Walnut Street; thence eastwardly, along said southerly street line of West Walnut Street, to a point one hundred fifty (150) feet, more or less, measured westwardly from and perpendicular to the westerly street line of North New Street; thence southwardly, parallel to and one hundred fifty (150) feet, more or less, measured westwardly from said westerly street line of North New Street, twenty-four (24) feet, more or less, to the northerly line of a tract of land now or formerly of The Bell Telephone Company of Pennsylvania; thence eastwardly, along the northerly line of said last-mentioned tract of land and its extension eastwardly, to the easterly street line of said North New Street; thence northwardly, along said easterly street line of North New Street,

twenty-four (24) feet, more or less, to the southerly line of East Walnut Street, a street twenty (20) feet in width; thence eastwardly, along said southerly street line of East Walnut Street, to the westerly street line of Linden Street, a street seventy (70) feet in width; thence southwardly, along said westerly street line of Linden Street and its extension southwardly, to said center line of the Lehigh River; thence westwardly, along said center line of the Lehigh River, to the point or place of beginning.

SECTION 3. The Pennsylvania Historical and Museum Commission has certified by resolution, after notification in writing of the passage on first reading of the ordinance, to the historical significance of the district within the limits defined in Section 2 and the Mayor of the City of Bethlehem has received such certification and placed it among the municipal records of the City.

SECTION 4. A Board of Historical Architectural Review is hereby established to be composed of nine (9) members, appointed by City Council, one of whom shall be a registered architect, one a licensed real estate broker, one the Building Inspector of the City of Bethlehem and six (6) additional persons with a knowledge of and interest in the preservation of the historic district. At least five (5) members of the Board shall reside within the historic district. The initial terms of the first nine members of the Board shall be as follows: Three shall serve until the first Monday of January, 1963, three until the first Monday of January, 1964, and three until the first Monday of January, 1965. Their successors shall serve for a term of five years. The position of any member of the Board residing within the historic district at the time of appointment who thereafter moves his residence from the historic district or of any member of the Board appointed in his capacity as a registered architect, a licensed real estate broker, or as the Building Inspector of the City of Bethlehem who ceases to be so engaged shall be automatically considered vacant. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

SECTION 5. The Board shall give counsel to the Council of the City of Bethlehem regarding the advisability of issuing any certificates required to be issued pursuant to said Act of June 13, 1961, and this ordinance. For this purpose the Board may make and alter rules and regulations for their own organization and procedures, consistent with the ordinance of the City and the laws of the Commonwealth. A majority of the Board shall constitute a quorum and action taken at any meeting shall require the affirmative vote of a majority of the Board. The members of the Board shall serve without compensation, and shall make an annual report of their transactions to the Council. The Board may, pursuant to appropriations by the Council,

employ secretarial assistance, pay their salaries and wages and incur other necessary expenses.

SECTION 6. The Building Inspector shall not issue a permit for any erection, reconstruction, alteration, restoration, demolition or razing of a building in the historic district until the Council of the City of Bethlehem has issued a certificate of appropriateness.

SECTION 7. Upon receipt of an application for a building permit for work to be done in the historic district the Building Inspector shall act in accordance with the procedures presently being followed in that office except as those procedures are necessarily modified by the following requirements:

1. He shall forward to the office of the Board of Historical Architectural Review a copy of the application for a Building Permit, together with a copy of the plot plan and the building plans and specifications filed by the applicant.

2. He shall maintain in his office a record of all such applications and of his handling and final disposition of the same, which shall be in addition to and appropriately cross-referenced to his other records.

3. He shall require applicants to submit a sufficient number of additional copies of material required to be attached to an application for a building permit to permit compliance with the foregoing.

SECTION 8. Upon receipt by the Board of a notice that an application for a building permit for the erection, reconstruction, alteration, restoration, demolition or razing of a building or buildings in the historic district has been filed in the office of the Building Inspector of the City of Bethlehem, the Board shall schedule a meeting to consider the counsel which the Board will give to the Council of the City of Bethlehem. The person applying for the permit shall be advised of the time and place of said meeting and invited to appear to explain his reasons therefor. The Board may invite such other person as it desires to attend its meeting.

SECTION 9. In determining the counsel to be presented to the Council of the City of Bethlehem, concerning the issuing of a certificate of appropriateness of authorizing a permit for the erection, reconstruction, alteration, restoration, demolition or razing of all or a part of any building within the historic district, the Board shall consider the following matters:

1. The effect of the proposed change upon the general historic and architectural nature of the district.

2. The appropriateness of exterior architectural features which can be seen from a public street or way only.

3. The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in the district.

SECTION 10. If the Board, on the basis of the information received at the meeting and from its general background and knowledge, decides to counsel against the granting of a certificate of appropriateness, it shall indicate to the applicant for a building permit the changes it plans and specifications, if any, which in the opinion of the Board, would protect the distinctive historical character of the historic district. The Board shall withhold its report to City Council for a period of five (5) days following its decision to allow the applicant to decide whether or not to make the suggested changes in his plans and specifications. If the applicant determines that he will make the suggested changes, he shall so advise the Board which shall counsel the City Council accordingly.

SECTION 11. The Board, after the hearing provided for in Section 8 of this ordinance and after the making of any changes in the plans and specifications as provided in Section 10 of this ordinance, shall submit to the Council of the City of Bethlehem, in writing, its counsel concerning the issuance of a certificate of appropriateness of authorizing a permit for the erection, reconstruction, alteration, restoration, demolition or razing of all or a part of any building within the historic district. The written report shall set out the following matters:

1. The exact location of the area in which the work is to be done.

2. The exterior changes to be made or the exterior character of the structure to be erected.

3. A list of the surrounding structures with their general exterior characteristics.

4. The effect of the proposed change upon the general historic and architectural nature of the district.

5. The appropriateness of exterior architectural features which can be seen from a public street or way only.

6. The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in the district.

The following table shows the results of the experiment. The first column is the time in seconds, the second column is the distance in meters, and the third column is the velocity in m/s.

Time (s)	Distance (m)	Velocity (m/s)
0.0	0.0	0.0
0.5	0.5	1.0
1.0	1.0	2.0
1.5	1.5	3.0
2.0	2.0	4.0
2.5	2.5	5.0
3.0	3.0	6.0
3.5	3.5	7.0
4.0	4.0	8.0
4.5	4.5	9.0
5.0	5.0	10.0

The data shows that the velocity increases linearly with time, indicating constant acceleration. The distance increases quadratically with time, which is consistent with the kinematic equation $s = ut + \frac{1}{2}at^2$.

The acceleration can be calculated from the slope of the velocity-time graph, which is $a = \frac{\Delta v}{\Delta t} = \frac{10.0 \text{ m/s} - 0.0 \text{ m/s}}{5.0 \text{ s} - 0.0 \text{ s}} = 2.0 \text{ m/s}^2$.

The distance can be calculated from the area under the velocity-time graph, which is $s = \frac{1}{2}at^2 = \frac{1}{2} \times 2.0 \text{ m/s}^2 \times (5.0 \text{ s})^2 = 25.0 \text{ m}$.

7. The opinion of the Board (including any dissent) as to the appropriateness of the work proposed as it will preserve or destroy the historic aspect and nature of the district.

8. The specific counsel of the Board as to the issuance by Council or its refusal to issue a certificate of appropriateness.

SECTION 12. Upon receipt of the written counsel of the Board as provided in Section 11 of this ordinance, the Council of the City of Bethlehem shall consider at a regular or special meeting the question of issuing to the Building Inspector a certificate of appropriateness authorizing a permit for the work covered by the application. The applicant shall be advised by the City Clerk of the time and place of the meeting at which his application will be considered and shall have the right to attend and be heard as to his reasons for filing the same. In determining whether or not to certify to the appropriateness of the proposed erection, reconstruction, alteration, restoration, demolition or razing of all or part of any building within the historic district, City Council shall consider the same factors as the Board of Historical Architectural Review set forth in Section 9 of this ordinance and the report of the Board. If the Council approves the application, it shall issue a certificate of appropriateness authorizing the Building Inspector to issue a permit for the work covered. If the Council disapproves, it shall do so in writing and copies shall be given to the applicant and to the Pennsylvania Historical and Museum Commission. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive historical character of the district.

SECTION 13. Upon receipt of the written disapproval of the Council, the Building Inspector shall disapprove the application for a building permit and so advise the applicant. The applicant may appeal from the disapproval as provided by law and the ordinances of the City of Bethlehem.

SECTION 14. The Building Inspector shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this Ordinance in the same manner as in his enforcement of the Building Code of the City of Bethlehem as presently enacted and as the same may from time to time be amended.

SECTION 15. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 16. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect

the validity of this Ordinance as a whole or any other part thereof.

Adopted by the Council of the City of Bethlehem this 27th day of December, 1961.

